

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No 149 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO

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RAVJIBHAI FULABHAI PATEL

Versus

HEIRS OF AMBALAL FULABHAIPATEL  
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Appearance:

MR SR SHAH for Petitioner

MR DC DAVE for Respondent No. 1  
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CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 16/11/2000

ORAL JUDGEMENT

Heard Ld.Advocate Mr.S.R.Shah for the appellant  
and Ld.Advocate Mr.D.C.Dave for respondents Nos.1.A to  
1.F.

2. It has been submitted by the learned advocates  
that during the pendency of the Second Appeal, parties to  
the litigation have amicably settled their disputes out  
of the Court by arriving at an agreement dated September

14, 2000. A copy of the said agreement has been placed on record. Ld.Advocate Shri D.C.Dave has also placed on record an intimation received by him from his clients to the effect that the parties to the litigation have settled their disputes. A copy of the letter dated November 16, 2000 addressed to the Ld.Advocate Mr.D.C.Dave is also placed on record.

3. In pursuance of the agreement placed on record, which has been arrived at amongst the parties, it has been prayed by the Ld.Advocate Mr.D.C.Dave, who appears for the original plaintiff that the original plaintiff would like to withdraw the suit which is the subject matter of the present Second Appeal. Permission for withdrawal of the suit is granted. In the circumstances, the present Second Appeal does not survive and, therefore, Ld.Advocate Mr.S.R.Shah seeks permission to withdraw the Second Appeal. Permission as prayed for is granted. Second Appeal is disposed of as withdrawn with no order as to costs.

16.11.2000 (A.R.DAVE,J)